

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KEITH A. HOLMES,  
Plaintiff,

v.

THE BANK OF NEW YORK MELLON,  
As successor in interest to JP Morgan Chase  
Bank, National Association, as Trustee to C-Bass  
Certificates, Series 2004-CB5 formerly known as  
The Bank of New York; OCWEN FINANCIAL  
CORPORATION; PHH MORTGAGE  
CORPORATION; NEWREZ, LLC; MCCABE,  
WEISBERG & CONWAY, LLC; and  
JOHN/JANE DOES 1-10, being fictitious and  
unknown to plaintiff, the persons or parties  
intended being the person or parties, if any,  
named in the complaint,  
Defendants.  
-----X

8/2/23  
Copies Mailed/Faxed  
Chambers of Vincent L. Briccetti

**ORDER**

23 CV 4948 (VB)

On August 1, 2023, all defendants moved to dismiss the complaint for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1) and for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). (Docs. ##23, 30, 32).

Accordingly, it is hereby ORDERED that:

1. Plaintiff's opposition to defendants' motions to dismiss is due **September 1, 2023**. Plaintiff shall file one opposition, not to exceed twenty-five pages, that addresses all three motions.
2. Defendants' replies, if any, are due **September 15, 2023**.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: August 2, 2023  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge